

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

GUY BARLOW, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

CIVIL NO. 09-2046 (GAG)

**ORDER**

The defendant's "Motion for Partial Dismissal of the Complaint for Lack of Jurisdiction" (Docket No. 16) is hereby **GRANTED**. The FTCA claim brought by Mrs. Barlow is hereby dismissed without prejudice until her administrative claim is disposed. The court expresses no opinion at this time as to whether the plaintiff indeed became aware that her husband had erectile dysfunction and, thus, could not function sexually at the time of his release from MDC-Guaynabo, or should have reasonably become aware of this situation before Mr. Barlow's release from MDC. Because the administrative claim is pending the court will not decide the matter at this time.

**SO ORDERED.**

In San Juan, Puerto Rico this 28th day of April, 2010.

*S/ Gustavo A. Gelpi*

GUSTAVO A. GELPI  
United States District Judge